IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

APPEAL FROM ORDER No 80 of 1997

For Approval and Signature:

   Hon'ble MR.JUSTICE S.D.DAVE

==
1.   Whether Reporters of Local Papers may be allowed
        to see the judgements?

2.   To be referred to the Reporter or not?

3.   Whether Their Lordships wish to see the fair copy
        of the judgement?

4.   Whether this case involves a substantial question
        of law as to the interpretation of the Constitution
        of India, 1950 of any Order made thereunder?

5.   Whether it is to be circulated to the Civil Judge?

VAKATSINH CHANDUBHAI ZALA
Versus
DIVISIONAL MANAGER

Appearance:
     MR MUKESH R SHAH for Petitioner
     MR HS MUNSHAW for Respondent No. 1

     CORAM : MR.JUSTICE S.D.DAVE
     Date of decision: 17/03/97

ORAL JUDGEMENT

  The learned Counsels have been heard. The Appeal
 is admitted and the same is taken for final hearing with
 the consent of the learned Counsels.

  It is clear that the Civil forum is called upon
 to express the opinion regarding the exact height of the

appellant-plaintiff.

The appellant-plaintiff is the candidate for certain post under the Gujarat State Road Transport Corporation. He would be eligible for consideration, provided he is having a specified height. There has been a debate on the question of the exact height of the appellant-plaintiff. The Court Commissioner has given his finding and other Medical expert has also given his own finding. Yet, it appears that, the controversy has not been resolved. The present, Appeal From Order, therefore, can be disposed of, by saying that, the Managing Director of the respondent-Corporation or a subordinate officer shall arrange for taking the exact height of the appellant-plaintiff, by the Civil Surgeon, at Sola Hospital. This should be done within a period of one month hereof. The finding of the said authority at Sola Hospital shall be accepted by both the sides as the final finding regarding the exact height of the appellant.

The present Appeal From Order stands disposed of, with the above said directions, with no order as to costs. Direct service is permitted.

   ****